

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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JAMES DEAN, JR., CATHERINE GILDEA, )	
TODD SWINGLEY, SHAWN RAUCH, STACIE )	
HUDGENS, STEVE LOPEZ, OSCAR FAEZELL, )	
ANDREW KEIRCUL, JON BARRET, JULIE )	
MATT, BRITTANY SUMMERFORD, ADAM )	
GARVEY, DAVID SIEBERT, JOSEPH SMITH, )	No. 09 CV 1190
STEVE DERRY, RYAN NILSON, JESSE LEVIN, )	
STEVE KOPP, AND DARRELL MITCHELL, )	
Plaintiffs, )	
v. )	
CITY OF CHICAGO, and CHICAGO )	Honorable Judge Kennelly
POLICE OFFICER R. FIORITO, Star # 11624, )	Magistrate Judge Nolan
Defendants, )	

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**MOTION TO WITHDRAW**

NOW COMES attorneys Jon F. Erickson, Laura K. Bautista, Michael Oppenheimer, Brendan Shiller, Barbara C. Long, and Jared Kosoglad, and seek to withdraw representation from Plaintiff James Dean and in support, state as follows:

1. This case was originally filed on behalf of James Dean on February 24, 2009.
2. On May 27, 2009, Plaintiff filed a First Amended Complaint, which added eighteen Plaintiffs to Mr. Dean's claims.
3. James Dean, Jr. is currently represented by the following attorneys: Laura K. Bautista, Jon F. Erickson, Michael Oppenheimer, Brendan Shiller, Barbara C. Long, and Jared Kosoglad.
4. On July 8, 2010, Jon F. Erickson received an email from James Dean, Jr. immediately discharging the attorneys listed in paragraph three above.

5. Mr. Dean discusses potentially sensitive information in addition to discharging the attorneys currently representing him. As a result, counsel hesitates to attach the email to this motion, but will make the email available for *in camera* review if ordered to do so.
6. Mr. Dean stated in his email that he wished to hire another attorney to represent him in this matter, but undersigned counsel has not been given any information regarding who this attorney might be.
7. On July 28, 2010, Mr. Dean again sent an email inquiring as to the status of counsel's withdraw. He has only provided a P.O. Box as his mailing address.
8. Under the Rules of Professional Conduct, Rule 1.16(a)(4) states: "A lawyer representing a client before a tribunal shall withdraw from employment (with permission of the tribunal if such permission is required), and a lawyer representing a client in other matters shall withdraw from employment, if: (4) the lawyer is discharged by the client."

WHEREFORE, attorneys Jon F. Erickson, Laura K. Bautista, Michael Oppenheimer, Brendan Shiller, Barbara C. Long, and Jared Kosoglad seek permission from the court to withdraw as attorneys of record for Plaintiff James Dean, Jr.

Respectfully Submitted,

s/ Jon F. Erickson  
Jon F. Erickson

Erickson & Oppenheimer  
4554 N. Broadway Ave., Suite 325  
Chicago IL 60640  
773.907.0940

**CERTIFICATE OF SERVICE**

Jon F. Erickson hereby certifies that a copy of the foregoing was served upon all opposing counsel via the EM/ECF email system. Additionally, service was sent by U.S. Mail and electronic mail to the following individual on July 29, 2010:

James Dean  
PO Box 803824  
Chicago, IL 60680  
jmzdean2@yahoo.com

s/ Jon F. Erickson